



## **NDI PRE-ELECTION DELEGATION TO ZAMBIA'S SEPTEMBER 2011 ELECTIONS**

*Lusaka, August 18, 2011*

This statement is offered by NDI's pre-election delegation to Zambia's Sept. 20, 2011, presidential, parliamentary and local government (tripartite) elections. The delegation visited the country from Aug. 12-18 and included: His Excellency Quett Ketumile Masire, former President of Botswana; the Honorable Thomas Daschle, former United States Senate Majority Leader and Vice Chair of NDI's Board of Directors; Ayo Obe, former Chair of the Steering Committee of the World Movement for Democracy and former President of the Civil Liberties Organisation in Nigeria; Patrick Merloe, NDI's Senior Associate and Director for Electoral Programs; Dr. Keith Jennings, NDI's Senior Associate and Regional Director for Southern and East Africa; and Xoliswa Sibeko, former Director of Public Liaison to South Africa's Presidents Nelson Mandela and Thabo Mbeki and former Director General for Sports and Recreation and National Commissioner for Correctional Services, and NDI's current Resident Director in South Africa.

The delegation complements NDI's longer term electoral assessment effort that has deployed 10 long term observers, including individuals from the Southern Africa Development Community (SADC) Election Support Network, who are covering all of the country's nine provinces, as well as the ongoing analysis of Zambia's electoral environment provided by NDI's country office. In addition, NDI is assisting nonpartisan election monitoring by Zambian citizen organizations that are conducting a comprehensive election day observation program. NDI also assisted political parties to train polling agents, and the Institute conducted trainings to help prepare women electoral candidates.

This delegation's work was funded as part of a larger grant to NDI by the British Department for International Development (DFID), and the Institute also receives funding in Zambia from the U.S. Agency for International Development (USAID). All of NDI's activities in Zambia, including this pre-election delegation, are conducted strictly on the basis of NDI's nonpartisan principles and in accordance with Zambian law, the SADC Principles and Guidelines Governing Democratic Elections and the Declaration of Principles for International Election Observation.

### **SUMMARY OF OBSERVATIONS AND RECOMMENDATIONS**

Concerted efforts are needed for credible, peaceful elections in Zambia. Broad citizen participation, combined with responsible actions by all stakeholders will contribute to electoral integrity and build public confidence.

Zambia is in a position to move forward significantly if the Sept. 20 elections are credible and peaceful, although the electoral environment presents noteworthy challenges that require tolerance, the rule of law, leadership and participation. Zambia's history of relatively peaceful elections provides a valuable foundation for the 2011 elections. Improving transparency, enhancing

inclusiveness and expanding accountability surrounding the elections will buttress that foundation and better ensure that the will of the voters is accurately recorded and honored.

The delegation was impressed by numerous positive factors in the electoral environment, and, at the same time, noted several important shortcomings that cause serious concern. Among the positive features were:

- The Electoral Commission of Zambia's (ECZ's) efforts to open the electoral process and encourage participation (e.g., taking steps to enhance the transparency and speed of the results tabulation process, as well as the adoption of the Electoral Code of Conduct);
- A significant degree of confidence in the integrity of the ECZ's Chairperson;
- Political parties and their candidates vigorously contesting the elections;
- Significant interest in voting among young people (e.g., the certified voter register includes just over a million 18-24 year olds, the vast majority of whom are new registrants);
- Civil society and religious leaders calling for peaceful elections (e.g., the joint pastoral statement "A Call to Vote in Peace, Truth and Justice" issued jointly by three major church bodies);
- Civil society's mobilization of nonpartisan election monitors and voter education efforts; and
- Significant measures by the Zambian police to ensure political impartiality of officers and improve professional conduct relating to elections.

Among the important shortcomings in the electoral environment that cause serious concern, were:

- Irresponsible and inflammatory rhetoric by political parties and candidates;
- Instances of political intimidation and the potential for electoral related violence;
- Blatant pro-government bias in the public media, as well as bias and inaccurate reporting in all major media;
- Inadequacies of avenues for legal redress when challenging results of the presidential election and the lack of expedited processes for challenging electoral results;
- Efforts to discredit some nonpartisan civil society organizations and impede the right to full participation;
- Decrease in the number of women candidates for seats in the National Assembly and apparent barriers to women pursuing candidatures; and
- Lack of transparency in campaign financing and the absence of restrictions on donations, as well as the unequal access to resources.

### *RECOMMENDATIONS*

The delegation recognizes the impressive efforts of Zambian citizens, political contestants and electoral authorities to advance the cause of electoral integrity. In addition, there is a very short time remaining until the elections take place. Therefore, in the spirit of international cooperation, the delegation respectfully offers the following recommendations for consideration in advance of the Sept. 20 elections.

- 1) The presidential candidates and the leaders of their respective political parties should issue explicit, forceful and repeated calls for peaceful elections and mobilize party resources to sanction any of their party members who engage in electoral violence or political intimidation.
- 2) Candidates and the leaders of their respective political parties should pledge publicly to adhere to the Electoral Code of Conduct and refute the use of inflammatory rhetoric for the entire campaign period.
- 3) Candidates and leaders of their respective political parties should ensure that copies of the Electoral Code of Conduct are provided to all of their party activists and organize discussions of it, including how to seek redress through lodging complaints with the ECZ and invoking mediation efforts through the Conflict Mitigation Committees and other liaison efforts of the ECZ and civil society.
- 4) Media, both public and private, should adhere to the provisions of the Electoral Code of Conduct, laws and professional ethics concerning the accuracy, balance and access regarding candidates and broader electoral related coverage.
- 5) The ECZ should use every effort possible to implement its enhanced results tabulation process and ensure that political party polling agents, citizen election monitors and the media are provided full access to each stage of the process, including providing them copies of the signed results sheets at each level.
- 6) The ECZ and all relevant government agencies should vigorously promote the full participation of citizens in the electoral process, as voters and as candidates, including identifying and removing barriers to participation of women, youth, people with disabilities and other traditionally marginalized groups.
- 7) Civil society, including faith-based organizations, should mobilize to promote electoral participation, peaceful elections and accountability through election monitoring activities and report accurately and timely on their efforts and findings.
- 8) The ECZ should guarantee access of political party agents, nonpartisan election monitors, observers and media to all aspects of the election process, including vote tabulations, and should provide them timely accreditation, without undue restrictions.
- 9) The ECZ should consider implementing enhanced transparency measures concerning procurement actions of all sensitive electoral items (e.g., those concerning electronic voter registration, ballots and electronic results tabulation) and for all contracts over a specified significant amount of funds (such measures could include, e.g., advance announcement of procurement actions, including experts from political parties and civil society in the design of requirements).
- 10) The ECZ and the courts should ensure that expedited procedures are in place to process all electoral related complaints and challenges, should inform the public and the electoral

contestants about such procedures and report publicly and timely about how many such matters are lodged, the actions taken and the nature and incidence of sanctions or remedies provided.

In addition to these recommendations, the delegation urges that an inclusive dialogue be undertaken soon after the elections to address serious deficiencies in the legal framework for elections. The dialogue would build on past reviews and should address urgent matters such as providing effective legal recourse for challenges to declared electoral results.

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The delegation met with President Rupiah Banda of the Movement for Multiparty Democracy (MMD), representatives of Michael Sata the presidential candidate for Patriotic Front and Hakainde Hichilema the presidential candidate for the United National Party for Development (UPND), presidential candidates Edith Nawakwi of the Forum for Democracy and Development (FDD) and Elias Chipimo of the National Restoration Party (NAREP) as well as secretary generals and other party leaders, the Election Commission of Zambia (ECZ), the Inspector General of Police, the Zambian Association of Chambers of Commerce, the Anti-Corruption Commission (ACC), media representatives, civil society and religious leaders, including the Civil Society Election Coalition 2011 (CSEC 2011, a coalition of eight organizations) and other civic groups. In addition, the delegation met with representatives of the international community. The delegations would like to express its deep appreciation to all with whom it met.

## **ELECTORAL BACKGROUND**

**Legal Framework.** The legal framework for elections in Zambia includes: the Constitution of Zambia (1996); the Electoral Act no. 12 of 2006; the Electoral Commission Act 24 of 1996; the Referendum Act, Chapter 14; the Local Government Act Chapter 282; and the Electoral Code of Conduct (as of July 2011). The President is elected by plurality vote (in the last election the winner garnered approximately 40 percent of the vote, which was two percent higher than the second place candidate). The unicameral National Assembly includes 150 members chosen in first-past-the-post single-member districts, plus eight (8) members appointed by the President to five-year terms. With respect to elected local government, there are 72 local authorities comprising 1,422 councilors. Elected representation in the most recent National Assembly was 74 for the President's Movement for Multi-Party Democracy (MMD), 44 for the Patriotic Front, 27 for the United Democratic Alliance – which included the United Party for National Development (UPND), United National Independence Party (UNIP) and Forum for Democracy and Development (FDD) – and five (5) from smaller parties and independents. The President dissolved parliament on July 28, and in accordance with the law elections were scheduled for Sept. 20.

Many concerns about the current electoral framework go back to the 2001 elections and the electoral petition brought by Brigadier General Godfrey Miyanda and others challenging the presidential results. The country underwent constitutional reviews in 2003 and 2005, without any changes. The more recent National Constitutional Conference produced a draft constitution. The draft failed to pass the National Assembly in March 2011. One of the hottest subjects in the debate over constitutional amendments concerns the return to a majority system that requires a candidate to

obtain 50 percent + 1 of the total votes to win the presidency. A number of changes to the legal framework for elections have been advocated concerning: the method for appointing the Chairperson and members of the ECZ; ensuring that funding to ECZ is sufficient and timely; party and campaign financing, including public funding and disclosure requirements; and guaranteed fair access and treatment in the public media for electoral contestants. Another salient issue has been the creation of a transition period between the declaration of results and the swearing in of the president-elect. While such structural issues cannot be addressed before the upcoming elections, they remain an important part of the electoral context. Practically everyone with whom the delegation met referenced more than one of these issues as among the changes needed to raise public confidence and increase participation.

The mechanism for contesting presidential election results presents fundamental problems. The Supreme Court has sole jurisdiction concerning challenges to official results in presidential elections, and there is no limitation on the amount of time it may take to process a case. This creates potentials for extended delays in such challenges, while the president is to be sworn in within 24 hours of the declaration of the presidential results. The candidate declared the winner therefore would likely take office before the case is adjudicated. In addition, in rejecting past challenges, the Court has cited public policy concerns about removing a sitting president, creating a high bar for complainants to meet. In addition, the Chief Justice of the Supreme Court is the Returning Officer for the presidential election and swears in the declared winner as president. This creates the potential for conflicts of interest and, even more, potentials for citizens to perceive that conflicts of interest undermine judicial and electoral integrity. Numerous people with whom the delegation met raised concerns that this causes challengers to lack confidence in pursuing judicial remedies, which adds to frustration and potentials for post-election violence.

**Electoral Administration.** Under the Constitution (article 76), an autonomous electoral commission is to supervise voter registration, review electoral constituency boundaries and conduct the presidential and parliamentary elections. The Electoral Commission Act (article 4(3)) provides that the President appoints the Chairperson and not more than four members of the Electoral Commission, subject to ratification by the National Assembly (which, according to its rules, ratifies the appointments by a simple majority vote). In January 2011, Justice Florence Mumba resigned as Electoral Commission of Zambia (ECZ) Chairperson, following allegations by dismissed ECZ Director Dan Kalale, which concerned the inappropriate tender of a contract. Currently, ECZ is chaired by Justice Irene Mambilima and includes four members appointed by the President. Justice Mambilima was previously appointed the Chairperson of the ECZ in 2005 and oversaw the 2006 elections. She left the Commission to become the Deputy Chief Justice of Zambia, a position she held until her re-appointment by the President as the ECZ Chairperson in March 2011.

<p>Electoral Administration Structure</p> <p>9 Provincial Electoral Officers 74 District Executive Secretaries <i>1 Returning Officer and 2 Assistant Returning Officers per 150 constituencies</i></p> <p>6,456 polling stations With 9,022 voting streams (lines) And 5 officials per stream, plus ushers &amp; others for over 60,000 election workers</p>
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Subordinate to the ECZ is an election directorate, a body of approximately 100 civil servants responsible for implementing commission regulations. The ECZ Director is Priscilla Isaac. Among other things, the directorate recruits and trains polling staff and is responsible for delivery of election materials (such as ballot boxes, ballot papers and voting booths) throughout the country, as well as organizing the tabulation, transmission and release of voting results. There are no permanent electoral officers at the provincial or district level, and electoral personnel are recruited largely from among other government workers, headmasters and teachers. The delegation noted that, for the upcoming elections, the ECZ is setting up a Public Recruitment Corps to provide electoral personnel through a potentially more transparent call for polling staff.

Many of the people with whom the delegation met, including from different sectors of society, raised concern about widespread perceptions of lack of impartiality among the ECZ and electoral administration more broadly. They noted that many anticipate that the presidential election may once again be very closely contested and that acceptance of the election outcome will depend on the ECZ raising public confidence in the process.

Most often cited as the basis for concern is the method for appointing the ECZ, where persons selected by the president at his discretion are ratified by a National Assembly with the president's party holding the majority. Nonetheless, many expressed confidence in the current chairperson. The delegation noted that public confidence in the impartiality and effectiveness of election commissions, generally, is highest where there is broad consultation and where the ruling party and opposition are meaningfully involved in the appointment process. The delegation also noted that, where elections may be decided by close margins, extra measures to consult, be transparent and advising the public of safeguards for electoral integrity can help raise confidence. These measures can also help to mitigate potentials for electoral violence.

**Printing of Ballots:** Controversies exist concerning the decision to have ballots printed outside Zambia and the decision to have ballots printed by the South African company that was awarded the contract. The delegation noted that the ECZ provided detailed public written explanations about why the capacity does not exist to print ballots in Zambia and noted that printing ballots "abroad" is a common practice in the region and beyond. In addition, the ECZ invited the political parties and civil society monitors to witness the printing in South Africa and to return with the ballots.

The ECZ also provided a written explanation about the tender process that led to the contract award, including that the company had provided ballots in prior Zambian elections. The delegation did not review the tender process by which ballot printing contracts have been awarded. Transparency in such government procurement processes is an important element of building public confidence, and involving stakeholders in procurements of sensitive materials and contracts of very large amounts is important for confidence building.

The delegation was informed that there was an investigation by the Anti-Corruption Commission (ACC) concerning a past contract with the present ballot printing company, and that the prosecution of a former ECZ employee is being actively considered as a result. The delegation expects that any questions about the matter will be resolved expeditiously. In addition, evidence that substantiates any allegations concerning possible improprieties affecting the present contract should be presented to the ACC and vigorous investigations should take place.

Ballot security is a complex issue, and transparency is needed once ballots arrive in Zambia regarding the storage, sorting and distribution of ballots and other sensitive electoral material to the polling stations, as well as concerning the return of the materials through the results tabulation process. Experience demonstrates that scrutiny by party agents and nonpartisan citizen election monitors of these steps can be central to alleviating fears that illegal ballots will be inserted at certain points in the electoral process. However, developing capacities to reach all polling stations to scrutinize voting and counting processes by party agents and citizen election monitors is a central element of ensuring ballot security. Political parties nonetheless reported that a lack of resources makes it difficult to deploy agents across the country.

**Tabulation of Election Results:** A particular concern raised by stakeholders from different sectors of society was the need for the ECZ results tabulation to be accurate, transparent and speedy. It was stated that slow tabulation of results by the ECZ would likely feed suspicions that the ruling party was holding back results from certain strongholds in order to inflate them to overcome any advantage of other contestants. It was often recalled to the delegation that in the last presidential election (which was decided by approximately 35,000 votes) the lead was reversed by the last returning constituency. It was emphasized that delayed results would add to the volatility of the situation and to potentials for immediate post-election violence. A number of people added that independent verifications of the ECZ's tabulation were needed to mitigate potentials for such violence.

The delegation was reassured by the ECZ's explanation of the steps in its vote tabulation process, the transparency measures in the process and its attitude about independent verifications by political parties and civil society organizations of its official vote tabulation process. The delegation understood that:

- Counting of ballots is done at voting streams with tallies for all stream added together to determine the vote count for the polling station which are to be recorded on results sheets, signed by party polling agents and civil society election monitors present, and copies of the results sheets will be given to each of them, with one copy posted publicly on the spot.
- The ECZ explained that the parties and civil society organizations may take those official polling station results and may tabulate them as they please, though they should not release publicly their independent tabulations until the ECZ has made its official declaration of results.
- The officials take the signed results sheets (and other materials) to the constituency Returning Officers (ROs), where ROs enter the results from each polling station onto a consolidated results sheet, in the presence of party agents and citizen election monitors, who sign the completed consolidated sheet and receive copies of it. Such agents and monitors may use those official results as they please to independently verify the tabulation process.
- Results for local councilors' elections and for Members of the National Assembly are declared by the ROs, and the presidential results are sent by electronic modem (or in remote areas by satellite phone) to the ECZ (with the paper copies traveling separately to

the ECZ). The party agents and citizen monitors are to be present as the results are transmitted electronically.

- Once received and verified, the ECZ will immediately release publicly the constituency results. When 100 percent of the results are released, the ECZ will make its declaration of presidential election results. While the ECZ intends to give itself 48 hours to complete the process and make its declaration, it believes that it may be able to complete that process more quickly.

This process, as the delegation understands it, provides a good degree of transparency and opportunity for electoral contestants and civil society election monitors to build public confidence by conducting independent vote tabulation verifications by the means they deem most credible.

**Voter Registration.** The ECZ made available for two weeks (May 30-June 12) “tentative” voter registration data so that the public could review the lists and propose corrections. That exercise was criticized by a number of civil society organizations and opposition political parties, mostly due to the brevity of the verification period and the absence of information about voter registration centers.

The ECZ completed a draft of the voter register on July 31. According to it there are 5,167,154 registered voters, which represent an increase of 31 percent from 2006, capturing approximately 1.2 million new voters. An effort was also made to remove deceased persons, though it was acknowledged that it is difficult in the national circumstances to identify persons who have died.

According to ECZ requirements, prospective voters, who possess a National Registration Card (NRC), and a voter’s card but whose names are absent from the voter registry on election day will not be permitted to vote. This makes the accuracy of the voter registry all the more important.

**Distribution of Polling Streams.** For the 2006 elections, the ECZ introduced the concept of polling streams at polling stations. For that election, polling stations with more than 650 eligible voters two or more polling streams were created in order to speed the voting process. As noted previously, the number of registered voters increased by 31 percent. At the same time the number of polling streams was reduced by 3 percent (from 9,314 to 9,022). The maximum number of eligible voters per polling stream was increased to 850 to accommodate these changes. Given that the voting system includes three separate ballots, the increase of voters to 850 could create challenges for processing voters in a timely fashion. In addition, there are four constituencies (Kalomo Central, Mambilima, Mfuwe and Mwenbezhi), where more than 10 percent of the polling stations will have more than 850 voters per polling stream.

**Nomination of Presidential Candidates.** Nomination of presidential candidates was originally scheduled from Aug. 7 to 10. However, due to the large number of political parties expressing an interest in fielding a presidential candidate, the ECZ extended the nomination period by two days until Aug. 12. Significant time is required for each nomination, since potential candidates must appear with 200 supporters who are registered voters. Thus, the ECZ limited the number of applications to three per day at specific times to prevent supporters from different political parties potentially clashing with each other.

Ultimately, 10 candidates were successful - including all four who had contested the 2008 presidential by-election. Five candidates withdrew before filing their nomination papers, while two candidates failed to qualify.

The Patriotic Front has questioned whether or not President Banda should be allowed to stand as a presidential candidate. It has been alleged that one of his parents was not born in the territory that is now Zambia and hence he fails to meet the citizen requirement introduced in 1996. The Patriotic Front petitioned the High Court to bar President Banda from standing, but its petition was thrown out on procedural grounds.

**Nomination of Parliamentary Candidates.** Nomination of parliamentary candidates was conducted on Aug. 12 in all 150 constituencies. On Aug. 11 and Aug. 12, the ECZ printed the names and locations of all the constituency returning officers in national newspapers. The ECZ has yet to publicize the full list of parliamentary aspirants, but both the ruling MMD and Patriotic Front parties have fielded candidates in all 150 constituencies. No party raised concerns to the delegation concerning the conduct of the nomination of parliamentary candidates.

**Women's Participation as Parliamentary Candidates.** There were 22 women out of 158 parliamentarians in the outgoing parliament. The Constitution of Zambia makes no provision for quotas for the representation of women in publically held offices, and the political parties do not impose quotas for women candidates through internal requirements. For the Sept. 20 elections, only 94 women, 14 of whom are independents, qualified as candidates for the 150 elected seats in the National Assembly. More than 40 political parties are registered in Zambia. The three largest parties MMD, Patriotic Front and UPND adopted 19, 23 and 22 women as parliamentary candidates, respectively. This is fewer than the number of women candidates in the last parliamentary election. Data was not yet available to the delegation concerning women candidatures as local councilors.

Party leaders and others speculated about the difficulties of women becoming candidates in the face of financial and cultural barriers, even though women make up more than 50 percent of the electorate. At the same time, women party leaders emphasized that there are many qualified and interested women in Zambia who could stand for office, if barriers to standing were removed. Lack of financial resources was the largest identified impediment to women seeking elected office, and suggestions were made concerning the benefit of public funding for electoral campaigns as an encouragement for more women to seek nominations as candidates, along with a range of issues related to developing women's political leadership in periods beyond elections and over longer terms than election periods.

## **CAMPAIGN ENVIRONMENT**

The official campaign was just beginning as the delegation visited the country, however, a number of issues were apparent from the earlier unofficial campaign. Candidates and political party representatives reported that they were generally free to travel throughout the country and faced little in the way of "no go" areas. Almost everyone with whom we met expected robust campaigning.

**Potentials for Electoral Related Violence.** Almost universal concern was expressed to the delegation about rising tensions, provocative political rhetoric and use of slander, intimidation,

isolated incidents of violence and the perception that potentials for heightened electoral related violence is a significant threat. These concerns were based in part on the increased incidence of violence in relatively recent by-elections for National Assembly seats. For example, in May 2010, violence among supporters of rival political parties during by-elections in the North-Western province resulted in the death of two persons. Also, in January 2011, violent protests occurred in the country's Western province, due largely to the longstanding claims by communities in that region that they are neglected by the central government and concerns over implementation of the 1964 Barotseland Agreement. While not directly related to elections, the incidents resulted in a number of deaths, shootings and arrests.

**Civil Society Actions:** The delegation was encouraged by efforts by religious leaders and civil society to promote peaceful electoral competition, such as by issuing the joint pastoral statement "A call to Vote in Peace, Truth and Justice," which also calls for issue based campaigns. The debates being organized by the Economics Association of Zambia, also focused on issues, may further contribute as may election monitoring by civil society organizations and violence free elections activities by youth organizations.

**Electoral Code of Conduct:** The Electoral Code of Conduct, which provides regulations under Statutory Instrument no. 52 of 2011, covers campaign behavior by electoral contestants and observers, as well as certain activities by electoral, police, media and other actors. It provides a number of penalties for violating the Code and for lodging complaints. However, enforcement of the code remains weak, which together with a lack of prosecutions for acts of electoral fraud contribute to a perception that there is impunity for those who breach the Code. It appears that lack of enforcement of the Code contributes to frustrations about electoral integrity.

**Zambia Police Sensitization Activities:** The delegation was also encouraged by significant measures being undertaken by the Zambian police to foster political impartiality of officers and to improve professional conduct relating to elections. Among the activities are: clear public statements by the Commissioner of Police that officers are to be politically impartial and to allow unhindered electoral campaigning; creating a usable compilation of electoral offences, plus a handbook and training guide; holding seminars for police around the country on the role of police in elections; and distributing the Electoral Code of Conduct to all police stations. There are to be specialized officers on elections, meetings to develop relationships with local political parties and ECZ officials, and to engage with the Conflict Management Committees. Such efforts are best when they are combined with longer term professionalization activities, while they could have a positive impact on promoting electoral integrity and peaceful elections.

**Bias in Public Media.** It was universally acknowledged that there is a sharp pro-government bias in the government owned and government controlled news media. Thus far, coverage by the state media has been exclusively in favor of the ruling party. The ECZ has argued that it has been powerless to impose the Electoral Code of Conduct with respect to media access since technically the elections were only announced on July 28. Therefore, the public media have been under no obligation to provide equal coverage. Article 13 (1) of the Electoral Code of Conduct stipulates that air-time should be equally allocated to all political parties, and article 13 (2) sets a limitation to purchased airtime for 30 minutes, per medium, per week. However, media outlets are divided into pro-government and pro-opposition camps and are perceived as pursuing biased reporting. The state

controlled media are all pro-government. The leading private newspaper, *The Post*, is perceived to be pro-opposition, but mainly provides coverage of the Patriotic Front.

**Use of State Resources.** Public funding for political parties is not provided in Zambia. In addition, no legislation exists to regulate the source of funds raised, the manner in which funds are expended or related disclosure. Opposition political parties claim to be disadvantaged because businesses are reluctant to donate to them for fear of economic reprisals. Allegations concerning the distribution of large numbers of motor vehicles and bicycles by the ruling party, in the absence of a disclosure regime fuels speculation concerning misuse of state resources.

**Citizen Election Monitoring.** One of the encouraging elements of Zambia's election environment is the commitment of civil society, including faith-based organizations, to promoting electoral integrity and public confidence through nonpartisan election monitoring. This tradition began in Zambia in 1991. For the 2011 elections two overlapping coalitions form the principle efforts. The Civil Society Election Coalition 2011 (CSEC) includes: Anti Voter Apathy Project (AVAP), Caritas, Foundation for Democratic Process (FODEP), Southern African Centre for Constructive Resolution of Disputes (SACCORD), Operation Young Vote (OYV), Transparency International Zambia (TIZ), Young Women in Action (YWA), and Zambia National Women's Lobby (ZNWL). The other coalition includes the Council of Churches of Zambia (CCZ), FODEP, the Media Institute of Southern Africa-Zambia (MISA Zambia), SACCORD and WLG. NDI has assisted CSEC and has coordinated with the other coalition, which is supported by Diakonia and is funded by the European Union.

CSEC intends to deploy from its member organizations over 9,000 observers to every polling station, polling stream and collation center throughout the country. The other coalition intends to deploy observers to 20 constituencies in three provinces and is monitoring election processes beyond election day, emphasizing the media and the role of women and youth in the elections.

Early this year, the right of citizens to participate in election processes and to seek and impart information about them was attacked in certain quarters. Some media carried inaccurate descriptions of proven techniques for independently verifying the accuracy of official vote tabulations - often referred to as parallel vote tabulations or PVTs - which build public confidence in official election results and thus reduce potentials for violence. The technique was falsely implicated in causing electoral related violence in Kenya and Cote d'Ivoire, where no PVTs took place. The ECZ stated that it had no problems with this technique, and NDI as well as other international actors consistently defend the rights to monitor elections, including to verify vote tabulations, voter registries and other important electoral processes.

## **CONCLUSION**

The delegation hopes that the aspirations of the Zambian people will be realized through credible, peaceful elections and that democracy will deepen thereafter. NDI will continue to monitor the electoral process.